

Forest sector policy brief from the perspective of gender and social inclusion

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This policy brief aims to mainstream Gender Equality and Social Inclusion (GESI) perspective in forest sector strategy formulation and revision processes. HIMAWANTI Nepal has coordinated efforts for preparing this document that provides key policy recommendations through the consolidated voice of concerned right holders and GESI activists. This policy brief was prepared by Himalayan Grassroots Women's Natural Resource Management Association (HIMAWANTI) NEPAL for Hariyo Ban Program, WWF Nepal.

It is indicated that institutionalization of GESI mainstreaming within state (MoFSC) and non-state actors (donors, I/NGOs, NGOs, networks) is constrained by various factors. However, this policy brief recommends that GESI strategy should essentially be integrated within revised forestry related strategies with clear operational modalities and GESI focal desks in regions and districts within MoFSC. The government, NGOs and programs working on forestry sector should ensure gender balanced and inclusive human resources and work force. There should be institutional mechanisms for gender responsive budgeting and auditing, engagement of men and elites in leadership promotion of women, dalit and socially excluded groups; zero tolerance against gender based violence in forestry sector along with task force of right holders and stakeholders. At least 40% of forest revenue should be allocated for economic empowerment of poor women, dalits and marginalized janajatis and socially excluded groups, out of which, 30-50% of the resource should be allocated for livelihood promotion of poor women. Besides, there should be increased political commitment within MoFSC for mainstreaming GESI in forestry that will ultimately contribute for achieving



GENDER AND SOCIAL INCLUSION ISSUES IN FORESTRY SECTOR

GESI MAINSTREAMING YET TO BE INSTITUTIONALIZED IN MOFSC

As per the thrust of the objectives of the Tenth Plan and the government's national¹ and international² commitments towards GESI mainstreaming, MoFSC has taken various initiatives e.g. enforcement of GESI strategy 2008, amendment of CF guideline, gender auditing of MoFSC³, development of gender and social equity vision of MoFSC as well as appointment of Gender Focal Persons in departments to institutionalize GESI mainstreaming issues in its policies, plans and programs. Despite these efforts, the overall functions/scope, objectives, guiding principles and working modalities of MoFSC do not reflect GESI mainstreaming initiatives. Therefore, changes in overall functions/scope, objectives, guiding principles and working modalities of MoFSC for strengthening its commitment towards mainstreaming GESI in the forestry sector is urgent.

MPFS 1989 and Forest Strategy 2000, specifying different priority program, has ensured critical representation of women in decision making process especially in CF users' committees. Although MPFS 1989, Forest Act 1993, Forest Rule 1995, Forest Sector Strategy 2000 are basic need oriented⁴ and pro-poor⁵, these policies lump women with the poor and disadvantaged and do not treat women as a special category and equal citizens. In an attempt to mainstream GESI in forest sector, MoFSC has enforced GESI strategy 2008 that envisages four change areas for GESI mainstreaming. But this document remained as a standalone document and was not adequately practiced due to: (i) limited ownership of the MoFSC line agencies, (ii) lack of clear implementation arrangements and operational plan; (iii) limited interests. Although the development of GESI strategy 2008 is a pioneering step made by MoFSC for gender mainstreaming into forestry sector, it has not been well implemented. Therefore, there is an urgent need to translate GESI agenda at institutional and programmatic levels to transform MoFSC as GESI responsive institution.

LIMITED INSTITUTIONAL CAPACITY OF FORESTRY SECTOR STAKEHOLDERS TO IMPLEMENT GESI IN THE DISTRICTS

An analysis of data from regional workshop on GESI related institutional capacity stakeholders depicted that current GESI related capacity of stakeholders is limited and project based rather than integrated in regular planning of the ministry. Although the MoFSC boasts of a GESI focal team at the central level, there is an inadequacy of GESI program and budget as well as lack of effort in GESI mainstreaming in the regions and districts. The District Forest Offices (DFOs) do not have GESI focal desk and person to mainstream GESI in the districts. MoFSC has been operating within the existing institutional structure which is largely based on MPFS 1989 human resource development strategy and staffing is highly dominated by men. MoFSC's human resource development (HRD) strategy

¹Interim Constitution of Nepal (2007).

²Convention on Elimination of all forms of Discrimination against Women, Millennium Development Goal (MDG3) on gender equality and women's economic empowerment, The Platform for Action is an agenda for women's empowerment.

³Gender Assessment and Gender Budget Audit in Seven Ministries <http://www.mof.gov.np/grbc/unifem%20seven%20ministry.pdf>

⁴MPFS 1989, Main report page 143, Forest Sector Policy 2000, page 22

⁵MPFS 1989, Forest Sector Policy 2000, page 23

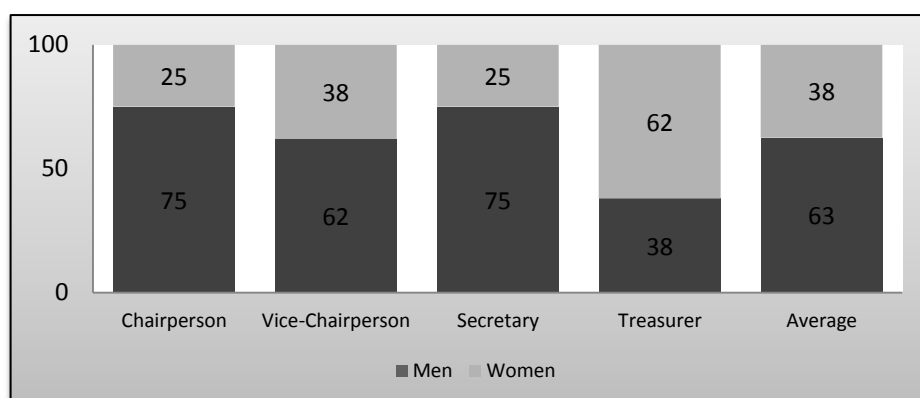
2004 favors women in recruitment, promotion, transfer; however there are approximately 3.3% women out of 10000 staffs in MoFSC⁶ despite the commitment of 33% representation of women in new recruitment as mentioned in the GESI strategy of MoFSC.

Even NGOs, Civil Society Organizations and networks present in the studied areas did not have their own institutional/programmatic GESI strategies, GESI focal desk and person. These organizations were unable to set up a GESI focal desk in their organization due to financial constraints and high dependency on donor supported programs for human resource management.

Donors and I/NGOs had different organizational structures with HRD strategies including gender policy and funding priorities that did not synchronize with the MoFSC GESI strategy 2008. It clearly indicates that there should be synergetic efforts of government, donors and other stakeholders for GESI mainstreaming in the forestry sector.

WOMEN UNDERREPRESENTED IN THE INSTITUTIONAL STRUCTURE OF COMMUNITY FORESTS

The Community Forestry Guideline 2009 has a mandate of 50% women's representation in CF executive committees. Efforts have been made to increase representation of women both in executive committee and user groups. For example 5 FUGs (Gumbadanda, Lotse Pakha, Jalandhara, Banskota) from the study area have ensured more than 50% women representation in their executive committees.



However, there is inadequate representation in decision making that has been indicated by their low presence in vital positions (Fig below) and majority

of FUG decisions are taken by men. Similarly, the national statistics indicated that only 25% of CF executive committee members are women⁷.

It is also found that the underrepresentation and weak participation of women is due to discriminatory attitude towards women's leadership role, , gender based violence and elite men's dominance in the forestry sector.

INADEQUATE INVESTMENT IN QUALITY LEADERSHIP COMPETENCY OF WOMEN AND SOCIALLY EXCLUDED GROUPS

⁶Madhu Devi Ghimire's Ppt -at the National workshop on the context of community property rights in New forest sector strategy organized by FECOFUN on 20th December 2013.

⁷status_of_community_forest_user_group_committee.pdf <http://dof.gov.np/downloads.html>

A study conducted by Women Leading for Change in Natural Resources (WLCN, 2013) revealed that little attention has been paid towards regular and intensive investment in promoting women's leadership capacity. Therefore, there should be systematic leadership competency enhancement interventions for ensuring meaningful engagement of women, dalits and socially excluded groups in the forestry sector. At the grassroots this could be achieved by ensuring meaningful participation of women and socially excluded groups from the inception phase of FUG formation and through continuous follow up to ensure their representation and participation in FUG decisions and benefit sharing mechanisms. Due to affirmative action policies

We don't have any dalit or janajati women in key roles in the EC. We are asked to take over these positions, the EC even try to force us, but we don't want to. We don't know anything about these positions. It is too difficult to handle so many people (Focus groups discussion with dalit and janajati women).

Women Ex treasurer from CF, "I was treasurer of CFUG but I had no idea on the role and responsibilities of Treasurer. When I understood and raised voice against corruption and stood for gender responsive budget, I was kicked out of EC. I'm only an example out of many.

aiming to include more women and people from lower castes in the EC committees, more and more dalit and janajati women are asked to take on such positions, but they often decline.

Not having education affects the women's self-esteem, and they doubt their own capability to handle a key position. This again contributes to reinforce stereotypes of dalit and janajati women in the society, as others also feel they cannot handle the position or that they don't have any interest in trying.

Putting dalit and janajati women in a key position without giving them the information or training that is necessary in order to handle that position can be viewed as another form of domination and oppression. First, it can lead to further diminishment of their self-esteem, as their fear of not being able to handle the position turns into a reality. Second, it also becomes a way for higher caste people to "prove" that lower caste women cannot handle the position as well as others. Third, without sufficient knowledge of how to act in a key position, it becomes very difficult for dalit and janajati women to forward their agenda and participate in the decision-making process, and easier for more resourceful persons to forward their own agendas and hold back dalit and janajati women leaders.

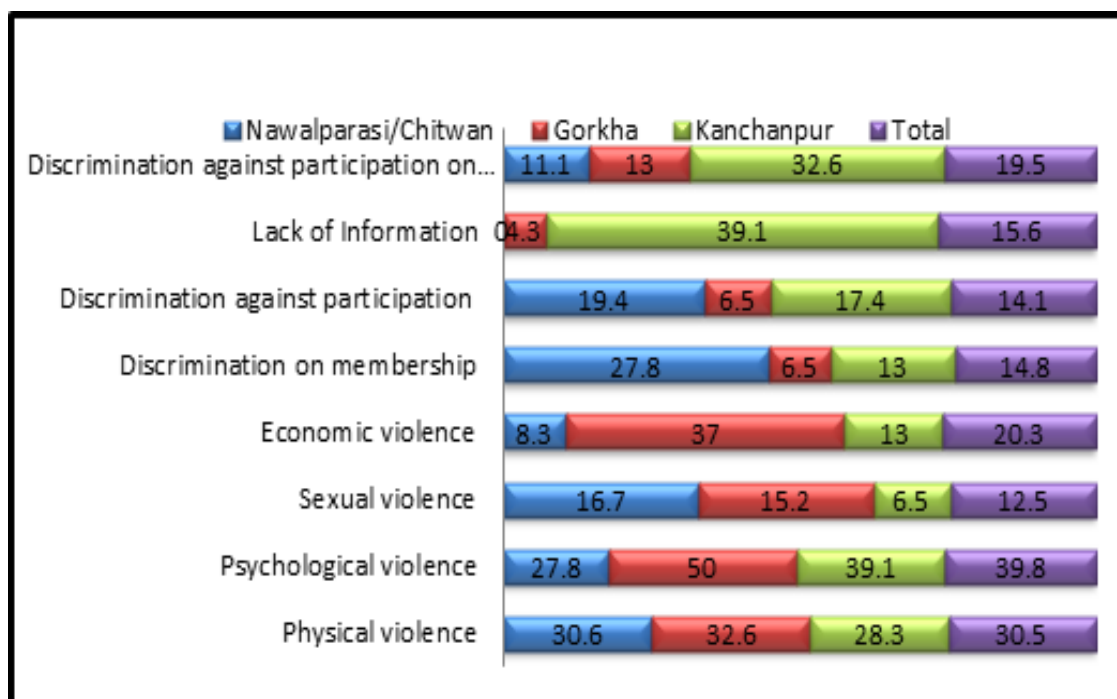
FORESTRY SECTOR DECISIONS-STILL MEN AND ELITE DOMINATED

The scenario of men and elite dominance prevails at national policy discourses and grassroots in forestry sector. For instance, despite there are recognized women GESI/NRM experts in Nepal, the Forestry Sector Policy write up team is composed of five men experts from Elite caste group despite engagement of donor agencies in this policy support process. However, the GESI focal point at the ministry is leading the process of reviewing forest sector strategies from GESI perspectives, and this has raised some positive hopes.

At the grassroots, in most general assemblies, women now often represent the majority, because of high rates of male outmigration. However, there is a persisting divide between nominal representation and effective participation in the decision-making process. Although most women do not feel directly prevented from speaking up and raising their voice, many still feel that others don't listen to them and that the topics they want to raise are of lesser importance. This scenario of men dominance is not only in users groups at grassroots— it also exists in the national policy discourses. Therefore, gender and social inclusion responsive decision making environment should be strengthened.

LACK OF INSTITUTIONAL MECHANISMS FOR COMBATING GENDER BASED VIOLENCE IN FORESTRY SECTOR

While women forest users are significantly contributing to forest restoration and conservation, they experience gender based violence when taking part in leadership roles. A women's group in Kalilali explained a number of cases where women are insecure when taking leadership roles. Two women chairperson in Kailali received death threats and were physically attacked. Women respondents also reported that women are more likely to encounter physical violence even if they lead the CFUGs with high-value forest crops. They are highly insecure due to threats from unidentified smugglers. "A woman chair in Samichi CFUG, Dhangadi Municipality, ward no. 5 panics and attempts to find a safe place to hide when threatened by timber smugglers" said a women group, Janakalyan CFUG, Kailali.



Besides threats from outsiders, women leaders also suffer from objectionable misconduct of men colleagues in their CFUG. Men pressurize women psychologically in order to capture the leadership position. Men harass women by saying 'you can't keep record of expenditure and incomes, and you are very honest and can't deal with smuggling, etc.' The men in CFUGs, especially in the terai region, need to be sensitized on the roles of chairpersons, which is not actually patrolling the forests, but more aligned to guiding the forest users on sustainable management of forest including patrolling.

It is not only in these user groups that women and marginalized groups are being excluded – it continues to higher level of decision making positions. Women are psychologically harassed by the undermining of their knowledge and skills. It indicates that there are different forms of gender based violence prevalent in the forestry sector, ranging from physical, sexual and economical to psychological hindering advancement of GESI. However these concerns are not yet systematically addressed by the implementers. . Therefore, a strong mechanism for addressing these different forms of gender based violence should be established and capacitated.

Hariyo Ban Program conducted a study in assessing prevalence of gender based violence in Nawalparasi, Chitwan, Gorkha and Kanchanpur focusing on women engaged in forestry and conservation sector indicated that majority of the respondents (39.8%) said psychological violence was the major violence faced by women and girls in the conservation sector, while 30% of the respondents said it was physical violence and 20.3% of the respondents mentioned about the economic violence i.e. being depriving of food and shelter. This shows that women do not have any control over resources and seem to be powerless within the family. These figures are alarming, as these incidents of Gender Based Violence will only increase as more women now enter politics of power. It clearly indicates a need for a strong institutional mechanism for reducing and preventing incidences of gender based violence in natural resource management sector.

LACK OF GENDER RESPONSIVE PROGRAMME AND BUDGETING IN FORESTRY SECTOR

Programs and budgets varied across districts as all the budget for women, poor and other marginalized groups was not properly disaggregated for each of these groups. Even though GESI strategy 2008 provisioned 30% budget allocation to poor, women and excluded groups when formulating new programs⁸, an analysis of the program and budget allocations of District Forest Offices (DFOs) from the five districts revealed that budget allocations varied across districts ranging from 0.34%–25.5% and was lumped up for women, poor and disadvantaged groups.

Ministry of Finance has initiated Gender Responsive Budgeting (GRB) process in MoFSC, but this process was not reflected in the program and budget of line agencies in the district. Consequently, when the program and budget was analyzed using GRB guideline 2009 criteria, the program and budget ended up to be gender neutral in districts.

We can't talk, we don't understand what they are saying and they don't listen to us. Due to this, we feel shy, so we don't talk (focus group discussion with dalit and janajati women)

We talk in the meetings but nobody listens to us so we just keep quiet. Everybody talks at the same time, the EC can't listen to everybody. We are not prevented from talking, we can speak out, but people don't listen (focus group discussion with higher caste women)

⁸GESI strategy 2008, page 6, MoFSC.

Representatives of non-state actors (donors, I/NGOs, NGOs, Civil Society Organizations, networks) from the districts indicated that gender responsive budgeting is not practiced in their organizations due to lack of capacity and skills to conduct GRB. In addition, NGOs, networks and civil society organizations are constrained by their own financial resources and reliance on the donors and other funding sources.

POOR AND MARGINALIZED WOMEN'S INADEQUATE ACCESS TO BENEFIT SHARING MECHANISMS

Access to benefits accrued from FUGs funds and from external sources is regulated by men in mixed FUGs, although these FUGs have income generating activities for women and poor in their FUGs. Community Forestry Development Guideline 2009 has mandated 35% of forest revenues accrued from CF to be allocated for livelihood promotion of poor women, dalits and socially excluded groups, but this is yet to be seen in practice. Moreover, women's access to fund regulation is minimal and those women who have access to fund regulation are not necessarily the poor and marginalized women, who need the FUGs resources at their disposal for improving their livelihoods. Revolving funds, enterprise based income generating activities, agro forestry promotion, allocation of community forests land to the identified poor women groups for NTFP and other forest based income generation and creating employment opportunities is crucial for promoting livelihood of marginalized communities. Besides, the uses of the funds for fulfilling basic needs of these poor people like education for their children, health expenditure are not considered. Therefore, livelihood promotion interventions have not covered its key five aspects namely human, natural, physical, social and financial.



women have double role to play, Gender insensitive programs could only increase the burden for women. Time and duration, place, modality and contents should be sensitively decided for desired output

LACK OF COORDINATED AND COLLABORATIVE PLANS AMONG ORGANIZATIONS AND RIGHT HOLDERS FOR INSTITUTIONALIZING GESI

Civil society organizations, forestry networks, and right holders are constantly lobbying and advocating for democratic and good governance promotion of forestry sector. However, they do not have a collective plan of action for strengthening GESI and good governance practices in forestry sector. Collaboration and partnership with non-state actors which have been working on gender issues of forestry and natural resources at policy, research and implementation level would support the government agencies for ensuring effective implementation of GESI strategy and conducting periodic review of the progress on achieving results as indicated in the strategy.

RECOMMENDATION- WAY FORWARD TO MAINSTREAM GESI IN FORESTRY SECTOR

ACKNOWLEDGE GESI AS A KEY AGENDA IN POLICY FRAMEWORKS

- Integrate GESI as one of the important development agenda in forest sector policies, strategies, operational modalities and functions of MoFSC. For this, incorporating GESI strategy 2008 as one of the major components of new forestry strategy could serve as a milestone for practicing forestry for people and their development in an equitable way.
- Review and amend the forest act 1993, forest rule 1995 and conservation acts and regulations and guidelines to put legal mechanism in place for ensuring effective participation of women and marginalized communities in natural resource management, which is the key element to achieve Nepal's forest sector's new vision: "forestry for prosperity".
- Form a task force of right holders and stakeholders of forestry sectors and civil society to revise existing legislations.

STRENGTHEN INSTITUTIONAL GESI CAPACITY AND ACCOUNTABILITY

- Government, NGOs, and programs working on forestry sector should ensure gender balance and inclusive human resource and workforce to ensure GESI mainstreaming in forestry sector.
- Create GESI focal desk in the regions and districts with clear ToR, action plan, monitoring and evaluation plan and allocated budget specific to GESI mainstreaming in forestry and conservation sector.
- Create strong, accountable and functional institutional mechanisms for ensuring zero tolerances against gender based violence in forestry sector.
- Increase investment on agro forestry taking into consideration of feminization in agriculture increased due to male migration.

STRENGTHEN LEADERSHIP AND NETWORKING OF WOMEN, DALITS, MARGINALIZED JANAJATIS AND OTHER SOCIALLY EXCLUDED GROUPS

- Strengthen networks of women, dalits, janajatis, youths, madheshis and other marginalized groups like HIMAWANTI, FECOFUN, COFSUN, DANAR, NEFIN, etc. with clear strategic directions for protecting the women's and marginal communities' rights to exercise equitable access and control of resources, decisions and benefits.
- Promote collaborative efforts of right holders and enable them to influence donors and policy makers for addressing their genuine concerns.
- Adopt a rigorous leadership capacity development and sensitization process to ensure competent and responsive leadership, equitable access to decisions, benefits and resources according to the spirit of CF guideline 2009 and GESI strategy 2008. All the forestry regimes

should –ensure strong representation of women, dalits, janajatis and other marginalized groups in decision making positions of user groups and committees.

- Institutional mechanism for engaging men and elites for strengthening leadership competency and role of women and socially excluded groups in forestry sector should be strengthened.
- Develop rewarding mechanisms for recognizing organizations and FUGs who implement representation of women in leadership position, 50% women, 35% of forest revenues allocated for livelihood of poor and other GESI provisions as mandated in the CF guideline 2009.

PROMOTE EQUITABLE BENEFIT SHARING MECHANISMS AND PROVISIONS

- Program and budget allocations specific to women's and marginal communities' (poor, dalits, socially excluded) leadership and economic empowerment should be a government priority. Create mechanisms to ensure allocation of at least 30% of the program budget targeted to these groups as mentioned in GESI strategy of MoFSC. At least 33% of the budget should be allocated for economic empowerment of women.
- Invest at least 40% of forest revenues for economic empowerment of poor women, dalits, marginalized janajatis and socially excluded groups based on participatory well-being ranking. Out of this, 30–50% of the resources should be allocated for livelihood promotion of poor women with more priority to women belonging to dalits and marginalized janajatis. There should be consideration of all five aspects of livelihood i.e. human, natural, physical, social and financial while designing the interventions.
- Ministry of Forests and Soil Conservation should abide by gender responsive budgeting and auditing principles as suggested by Ministry of Finance. Ensure periodic review of policies and programs to monitor impacts and consequences from gender and social inclusion perspective so that negative impacts on the lives of women, dalits and socially excluded groups can be minimized.

ACKNOWLEDGING SUPPORT OF RIGHT HOLDERS AND GESI ACTIVISTS

Forest sector policy renewal process is ongoing for framing a contextual strategy and to provide continuity to the expired forest sector policy 2000. This has opened up avenues for providing recommendations to ensure that gender equality and social inclusion agenda are well considered in these strategic directions. Ministry of Forest and Soil Conservation (MoFSC), donors, international NGOs, NGOs, forest user group (FUG) networks and civil society representative organizations are proactively engaged in assessing past achievements, challenges and gaps in the forest sector policies and practices. Besides, networks (FECOFUN, HIMAWANTI Nepal, COFSUN), civil society organizations and NGOs are involved in collecting information through consultations with forest users and experts for feeding their voices and aspirations into the new forest sector strategy. This review was coordinated by Himalayan Grassroots Women's Natural Resource Management Association (HIMAWANTI), Nepal in support of USAID funded Hariyo Ban Program through WWF Nepal in technical assistance of CARE Nepal to provide a review of current forest sector policies and practices from gender and social inclusion (GESI) perspectives and to highlight gaps in existing

policies and practices. It has provided opportunities for bringing together gender equality and social inclusion activists in a common platform to craft recommendations to the policy drafting team so that these new/amended policies are GESI responsive. In order to prepare this policy brief, HIMAWANTI had conducted separate desk review and consultations at different level (national sharing w/s, gender experts' meetings; regional w/s, community level) using focus group discussions, key informant survey, interviews, workshops and discussions. Besides, it also refers to a study conducted by Women Leading for Change in Natural Resources, Status of Gender Based Violence in NRM, Hariyo Ban Program and several other studies.

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The Hariyo Ban Program is named after the famous Nepali saying 'Hariyo Ban Nepal ko Dhan' (Healthy green forests are the wealth of Nepal). It is a USAID funded initiative that aims to reduce the adverse impacts of climate change and threats to biodiversity in Nepal. This will be accomplished by working with the government, communities, civil society and private sector. In particular, the Hariyo Ban Program works to empower Nepal's local communities in safeguarding the country's living heritage and adapting to climate change through sound conservation and livelihood approaches. Thus the Program emphasizes the links between people and forests and is designed to benefit nature and people in Nepal. At the heart of Hariyo Ban lie three interwoven components – biodiversity conservation, payments for ecosystem services including REDD+ and climate change adaptation. These are supported by livelihoods, governance, and gender and social inclusion as cross-cutting themes. A consortium of four non-governmental organizations is implementing the Hariyo Ban Program with WWF Nepal leading the consortium alongside CARE Nepal, FECOFUN and NTNC.